

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	WT Docket No. 10-119
)	
Review of the Commission's Part 95)	
Personal Radio Service Rules)	WT Docket No. 98-182
)	
1998 Biennial Regulatory Review – 47)	
CFR Part 90 – Private Land Mobile)	RM-9222
Radio Services)	
)	
Petition for Rulemaking of Garmin)	RM-10762
International, Inc.)	

NOTICE OF EX PARTE PRESENTATION

Pursuant to Section 1.1200 et seq. of the Commission's Rules and Regulations I am giving notice of an ex parte presentation made by me in the above matter. Participants were:

- 1) P. Randall Knowles, KAA 8142
- 2) Mark Stone, FCC, Chief of Staff, Office of Commissioner Michael J. Copps

Summary of substance of ex parte presentation. My private wireless background includes serving as a police and fire dispatcher, a former Regional Radio Communications Chairman of Red Cross Disaster Service, and over 40 years as a General Mobile Radio Service (GMRS, FCC Part 95A) user and repeater operator. Over the course of 18 months my wife and I have used our GMRS radios in 28 states. I am a former Assistant State's Attorney and served as prosecutor for municipalities for over 25 years.

GMRS is similar in some ways to, but is distinct from Amateur Radio, as well as different from CB Radio, and the Family Radio Service. Family Radio Service gear is the low cost (\$49.95) low power short distance walkie-talkies seen in retail stores. By contrast GMRS equipment is the same professional grade UHF equipment as used in the public safety and "commercial" radio services.

Repeater (mobile relay) stations are used in GMRS at advantageous, high-elevation antenna sites to provide metropolitan area coverage or even greater rural community coverage where there are few or no obstructions by picking up signals and then retransmitting them over the entire coverage area.

Repeater systems are usually too expensive for an individual to purchase, however. Instead, user cooperatives commonly erect and operate these systems as a community service. The Comments filed reflect this as a prevalent method of placing systems on the air.

FCC rules have required station licensing and identification with the Commission issued call sign since the inception of this service. GMRS stations operate in spectrum in the UHF band (462/467 MHz) immediately adjacent to public safety, business, and other Part 90 wireless services. Voice is the primary use.

GMRS is unique in that licenses have been available only to individuals – the American public – since the Commission recognized in Docket 87-265 that the original purpose of the service was to provide for those not eligible in other Land Mobile Services. The Commission also recognized in that Docket that individuals, or even typical groups of individuals (cooperatives), are financially not able to compete with commercial enterprise in erecting systems and utilizing the few existing channels.

NPRM Would Eliminate Licenses and Identification. Now the Commission's Wireless Telecommunications Bureau is considering (in WT Docket 10-119) eliminating licenses and call sign identification. GMRS users are virtually universally opposed to this idea – licenses and call sign identification are vital for a number of key reasons, and the comments filed strongly reflect this opposition to delicensing.¹

Please let us continue to pay for the privilege of a license and FCC call sign (current fee is \$85 for 5 years). As true in other Land Mobile services, we occasionally need FCC enforcement and appreciate that we need to pay for it (via license application fees). As a practical matter FCC enforcement and regulation is not going to happen without license fees to help defray Commission costs.

GMRS users know from bitter experience in CB Radio (Part 95D) and the Family Radio Service (Part 95B) that when the FCC effectively washes its hands of personal land mobile by delicensing, the inevitable result is the end of any meaningful regulation and enforcement. Chaos soon follows as could be expected in a vacuum.

GMRS is, by contrast, a disciplined, highly self-regulating, and utilitarian service, and users have invested thousands of their hard earned dollars in equipment relying on this. Self regulation is impossible without FCC call sign identification and access to the online FCC data base. Some FCC presence and enforcement is necessary in order for self-regulation to work.

Existing Licensing Promotes Volunteer Public Service/Emergency Use – Clearly in the Public Interest. Similar to Amateur Radio, there is a traditional high correlation of public service in GMRS. Red Cross Disaster Service, National Weather Service Skywarn (tornado spotting), EMA/CERT (Civil Defense), neighborhood watch, REACT, Salvation Army disaster relief, fund raising events (such as Multiple Sclerosis bike-a-thons), etc. are all typical volunteer uses.

An existing base of day to day users and equipment means that a ready-made core of volunteers is available when disaster or emergency strikes. **Delicensing will have a marked chilling effect on funding of GMRS equipment by such organizations.**

¹ See, for example, Comments filed by Personal Radio Steering Group, Inc., Bennett Kobb, Steven James Robeson, Seattle Emergency Communications Hubs and President of Seattle City Council, Frederick W. Bray, Northern California GMRS Users Group, Donald B. Best, Disaster Communications Chairman, American Red Cross, Arcadia Chapter, numerous comments by members of the North Georgia GMRS Group, etc.

Licenses Are the only Viable Means to Maintain GMRS for Individuals. Licensing limited to individuals is indispensable in maintaining GMRS protection against usurpation by “commercial” ventures economically able to dominate the few available frequencies and take GMRS away from the American Public. The FCC recognized this in Docket 87-265 and it remains just as true today. Call sign identification is the only viable means for repeater cooperatives to control use of their systems for those operators who are participating (contributing financially and have signed a written agreement as currently required).

Commissioner Copps recognizes that deregulation can sometimes go too far. This is such an instance. The NPRM in Docket 10-119 would delicense GMRS under the guise of rule simplification, or supposed lesser burden on users. In fact, it far overreaches. As the Comments show, thousands of users of this service now fear for their continued access to, utility of, and the viability of their investments in GMRS.

GMRS users ask the Commissioner to watch for this item when it comes to his desk – and, if it mandates delicensing, to question and prevent such a fundamental abdication of the FCC’s responsibility.

P. Randall Knowles, KAA 8142. 710 Cummings Avenue, Kenilworth, Illinois 60043-1013.
Randy_Test@HotMail.com.